Translation

PATENT COOPERATION TREATY

PCT/EP2003/011824

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M/43220-PCT	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP2003/011824	International filing date (*day/month/year*) 24 October 2003 (24.10.2003)	Priority date (*day/month/year*) 25 October 2002 (25.10.2002)
International Patent Classification (IPC) or national classification and IPC C08G 18/08		
Applicant BASF AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
17 May 2004 (17.05.2004)	28 January 2005 (28.01.2005)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP2003/011824

I. Basis of the report

1. With regard to the **elements** of the international application:*

☐ the international application as originally filed

☒ the description:

pages 1-31, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the claims:

pages 1-10, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☒ the drawings:

pages 1/2-2/2, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* *Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).*

** *Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.*

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3, 4, 6, 7	YES
	Claims	1, 2, 5, 8-10	NO
Inventive step (IS)	Claims		YES
	Claims	1, 2, 5, 8-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

D1: WO 02 36695 A
D2: US-A-5 418 301

1. Novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3))

D1 discloses plastic films produced from polypropylene, polyethylene terephthalate and polyamide (as substrates) overlaid with hyperbranched polyurethanes (PU) comprising both urethane groups and urea groups. It is assumed in light of the differing chemical structure (COOH- and/or OH-termination) and the consequent differing physical properties of the hyperbranched polyurethanes compared with the substrate that the surface properties of the substrate are modified by deposition of the hyperbranched polymer (D1: hyperbranched polyurea-polyurethane produced from HDI and diethanolamine, hyperbranched polyurethane produced from HDI, DMPA and TMP, examples 1 and 6; high degree of branching associated with AB_x

monomers, where x = 2-8, page 4, lines 26-33; PP, PET and PA films as substrates coated with printing ink prepared using the named hyperbranched polyurethanes as binding agents, table 2, examples 10 and 14).

D2 discloses an aqueous dendritic and thus hyperbranched polyester-polyurethane dispersion used with melamine resin to coat a glass substrate. The surface properties of the glass substrate are modified by the resultant PU coating (D2: aqueous PU dispersion based a dendritic polyester, cured coating produced therefrom on glass plates: example 52, table 1).

The subject matter of claims **1, 2, 5** and **8-10** is thus anticipated by D1 and D2 independently of each other and the application consequently does not meet the requirement of PCT Article 33(2).